App. D IX-4

1931

Previous References

Tuesday

File No. 81-31

Serial Nos. 16-21

Later References

15-33 Sh. 1 2.
and 118-31 1-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 6

Part B for September 32

SUBJECT.

Re. Kadim tenancy rights set up by the Ryots of Purigal and Kaglipur villages endowed to Sri Rangasatha Swami temple

The Mess. [illegible]

24 & 17 8-32

Late that the occupancy of the lands a question has to be treated as Kadim tenancy and no Kadim tenancy rights allowed to arise in [illegible] of unoccupied lands leased

Serial No.

Letter no C 821/31-32 & 8/3/32 from the Muzrai Commissioner forwarding a Statement showing progress of collections made in Pinigal and Kaglipur Villages Malvalli Taluk and stating the action taken for recovering the balance of Rs 175-25-1-4

Letter no C 638/25-26 & 8/3/32 from the same officer forwarding Copy of letter No H 1961 A.C. & 12/3/32 from the Deputy Commissioner Mysore on the stating that it is not expedient to question the right of the tenants and ending that the question of leasing out the lands in the endowed villages of Pinigal & Kaglipur as suggested has to be dropped.

As regards P.U.D I, action taken for the recovery of the balance of arrears has not been made clear in the statement. If appd, this will be called for.

As regards P.U.D II, the entire file bearing D.No 889 of 31-31 is before the H Sec & this may be subd to Continuation

Cost of Re-S in traduction of Re Survey operation at Pinigal & Kaglipur Sec 73

G S M S
1913

3) From the SH sent enclosed with PUD I it is seen that the balance of Rs 175-25-1-4 is accounted for as

NOTE—Contn. Sheet

follows:—

Remission lists sent —	Rs 11584-5-10
Remission lists to be sent —	182-12-6
Lists sent pr. suits being filed —	2963-6-0
Sales for arrears of kandaya —	565-12-9
Action being taken —	2199-10-7
Total	17495-15-8.
Add ~~[illegible]~~ arrears for 31-32.	29-1-8
	17525-1-4.

Again the years for which the amounts pertain are

Arrears for	1904-05 to 23-24 —	8982-3-4
Do	23-24 to 30-31 —	8513-12-4
	For 31-32 —	29-1-8

The arrears from 04-05 to 23-24 have practically become irrecoverable and the longer the collection is delayed in respect of arrears for 23-24 to 30-31 the greater the amount that will become irrecoverable As such prompt & immediate steps are to be taken for the recovery of all these arrears. It is stated that remission lists have been sent up for Rs 11584-5-10. If they have not been sanctd by Officers competent to do so, they must be dealt with immediately cases to be sorted to fort for orders being sent up immediately — The details furnished are very meagre to judge what the exact situation is in respect of

Serial No.

even the remaining items. If approved the M.C. will be asked to obtain & submit full details and see that remission cases are ~~[illegible]~~ attended to promptly.

(6) A

5) The question of Kadmi tenancy refd to in p.u.d I will be dealt with on ~~[illegible]~~ receipt of connected papers back in office.

7 B

22/3/32

Fin. Secy)

A. This may be done

7 B. Law deptt has the connected

12/4/32

Dft. reqd. 6. A — Subd. The connected file refd. in para 2 has after return from the member gone to Typing Secn. Soon after the order therein issues, it will be put up here & subd as directed in para 7 — supra —

G.S. 19/4 Recd

Order of the Asst. Secy on 22/4 —

"Put up Dft. in paras 3 & 4 supra".

Dft. Mtd. accordingly

G.S. 27/4

(Letter [illegible]) as revised 30/4/32

NOTE—Contn. Sheet.

Muz File No. of 193 General S

No 1624 of 7-5-32 to the Muzrai Commissioner Conveying the observations referred to therein regarding Collections made in Purigal and Kaggliporu villages of Malvalli Taluk.

Orders are solicited on the proposal of the M-C re: dropping the Kadim tenancy question (Vide P-U-D II)

G.S 12/5 Law section with compliments with reference to Finance Secy's orders in para 7 supra

Vito 13/5

5283 / P 231

It is necessary in such cases that the Branch concerned should prepare a proper statement of facts & indicate the points on which legal opinion is required, as prescribed in rule 66 of the Legal Affairs Rules. The Fin Secy's orders in para 7 supra ~~does not, I think~~ requires the Law Deptt to be consulted in the matter and does not I think, mean that the entire file should be sent over to this section, without its being worked up in the Mur Br according to rules.

Asst Secy, Mur Br
with compts

BRG 13/5

Letter No C 821/31-32 of 26/5/32 13/5 from the Muzrai Commissioner forwarding Copy of O.M. No D. Dis 1613/31-32 of 21/4/32 passed by the Revenue Commissioner sanctioning a remission of Rs 11045-4-4 in respect of Purigal and Kaggliporu Inam villages endowed to Sri Ranganatha Swami temple at Sivasamudram.

Serial No.

15) Amount remitted till 21/4/32 - aggregate Rs 11045-4-4. Necessary instructions have been issued by the R.C to collect the balance at once & prevent further sums from getting time-barred. This is for perusal.

16) As regards the question of Kadim tenancy rights put forward by certain ryots in Punigal and Kagglipur Villages, kind refce is invited to Govt Advocate's opinion in paras 30, 31 & 32 of the Muz Collection 177-25-18, & the minutes of the First Member of council of 15/5/30 on the subject (vide para 35 of the same refce Collection). As per directions a report was called for whether it would not be possible to lease out the lands as in the case of all Devadaya endowments. The S.D.O in his report of 26/12/30 states that the holders of lands in the villages under refce are Khadim tenants as regd in Sectn 84 of L.R.C & not tenants at will & that therefore the question of leasing them out does not arise. Both the D.C & the M.C. have concurred in his views.

17). The Survey Supdt in para 2 of his letter of 2/12/31 to the M.C. says that the tenants are liable to pay assessment & that the question of Kadim tenancy did not arise at the time of survey settlement.

NOTE—Contn. Sheet.

File No. of 1931-2 General Secretariat

Many of the lands in the villages in question are reported to have changed hands by sale mortgage, transfer & civil Court decrees. Whether steps may not be taken to lease ~~under~~ ~~Sec. 19(1) of the Prez. Regn. VII of 1927~~ to the same tenants only for longer periods of 30 to 50 years instead of 6 or 10 yrs is a point for orders. In so doing if the tenants were to rush to civil court for remedy, whether the suit is maintainable ~~if so to~~ what effect are points on which Law Secn has perhaps to be consulted. (Refce para 14).

332

Law

GS 34) 5 1/6/32

Asstt Secy Law Deptt with Compts

1/6/32

No) Parigal and Kaggalipur are two villages granted on sarvaymanya tenure to the Jaghirdar of Sivanasamudram for the maintenance and upkeep of Sri Ranganatha Swami temple at Sivasamudram. At the survey settlement the villages were confirmed as Devadaya inams and recently on account of mismanagement by the Jagirdar, the villages have been taken over under Government management. In the course of this management it has been found by the Revenue Officers that in both the villages, the Jagirdar was only collecting kandayam from the tenants and that, except a few minor inams endowed

Serial No.

for kuluvadi service and certain minor deities, the remaining survey numbers are all in the holding of private persons and none in the khate of the temple for whose benefit the inams were primarily granted. From the further investigation made into the nature of the tenancy held by the ryots in the two villages, the Muzrai Commissioner as well as the Deputy Commissioner, Mysore have come to the conclusion that the holders of the lands in these villages must be held to be kadim tenants under Section 84 of the Land Revenue Code and have, therefore, recommended that the question of leasing out these lands afresh as per standing orders of Government regarding Devadaya Inam lands be dropped and proceedings taken only to recover the arrears of kandayam due according to law.

(9) The first point that has to be considered is whether the facts found prove kadim tenancy in the case. The facts found as stated in the Muzrai Commissioner's letter of 8th March 1932 are as follows:-

"The holders of lands have been in possession for a long term of years paying rents in money equal to land revenue assessment only exercising unchallenged rights of alienation by sale, mortgage, court decrees etc., similar to those exercised by holders of land in unalienated villages. The Survey Superintendent states that the Phaisal Patrike prepared at the time of the original settlement shows that the tenants' liability consisted in the payment of assessment which amounts to saying that even before the settlement the tenants were paying only assessment and were found to be entitled

NOTE—Contn. Sheet.

to be confirmed on payment of survey settlement."

Now a careful analysis of Section 84 of the Land Revenue Code shows that the essential ingredients necessary to make a tenant a kadim tenant are:-

1) He must hold alienated land which may be in an alienated village or otherwise.

2) He must be paying to the superior holder a rent in money or in kind and this payment must be by way of land revenue.

3) The rent that he pays must be equal to one of the following;-

(a) The rates of land revenue assessment obtaining at the time when such land was alienated by Government. or

(b) rates subsequently fixed in accordance with the established rates of land revenue assessment for the village. or

(c) rates fixed by competent revenue authority, or

(d) rates fixed by a survey settlement.

It has been found in this case that the tenants of those villages are paying to the superior holder only a fixed rent in cash equal to the survey ~~settlement~~ assessment on the lands; and there is no room to doubt that they are holding alienated land and paying the rent by way of land revenue. It must, therefore follow that they are kadim tenants having all the rights of an occupant under the Land Revenue Code.

But, according to the rulings of our High Court in Mohammed Yacoob Sabi Vs. Gange Basavia (4 Mys.C.C.R.6) and in Deputy Commissioner of Mysore Vs. Surappa (32 M.C.C.R.14) it appears that before a tenant can claim to be a kadim tenant, he has to show in addition to what has been

Serial No.

prescribed in Section 84 of the Land Revenue Code, that the lease under which he claims was prior to the inam grant itself i.e in this case prior to 24th December 1829. I may respectfully mention that I have doubted and still doubt the correctness of this proposition and I beg to refer to the article published at page 116 of Volume 5 of the Mysore Law Journal for a discussion on this point. But so long as the decisions above referred to stand unreversed by a full Bench, they have to be followed and it is therefore necessary to investigate whether any or all of the leases in these two villages were prior to 24th December 1829. If they are not then under the High Court Rulings they cannot claim to be kadim tenants.

23 6) If the further investigation into the exact origin of the tenancies in question affords any satisfactory evidence of their commencement, then it would exclude the presumption of permanent tenancy which could otherwise be raised under Section 79 of the Land Revenue Code, as recently amended by Regulation XVII of 1928. Further if the investigation shows the leases to have been granted subsequent to 31st January 1853 the question may have to be considered as to whether the lands cannot be summarily resumed and restored to the temple under Clause(B) of Rule II of the Chief Court's Notification No.266 of 17th November 1877. Even then a difficulty is certain to arise on account of the peculiar terms of the sanad as well as the second proviso to Section 10 of Regulation VII of 1927 and so far as can be seen at present, there appears to be

NOTE—Contn. Sheet.

File No. of 193 .

to be no way to get over it, unless it be that the further facts to be found disclose neither kadim tenancy nor any other kind of permanent tenure.

332
Law

47) The opinion of the Government Advocate will also be obtained in this case, if approved. Refer: Para 7 Supra.

Fin Secy (Mur) } 23/6

9311
24/6

7.) Yes, please.
This is a case of some importance and the legal aspects had better be threshed out.

30/6/32

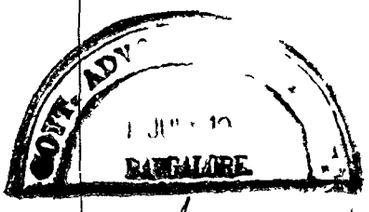
L.O.No. P/25 of 31 dated 30th June 1932

30/6/32

Forwarded with compliments to the Govt Advocate for favour of opinion.

B.O
Myora Rao
For Gen Secy to Govt
30/6/32.

GOVT. ADV. 1 JUL 1932 BANGALORE

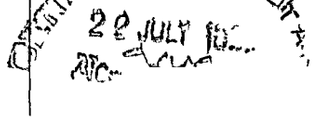


Dy 3/32-32
of 1.7.32

Returned with compliments.

N.O. Dy 6/32-3
of 28.7.32

21) The Sannad granted to the Jodidar gives the right of alienation to him and it has been confirmed in that manner at the Survey Settlement. Though, in the settlement, the villages are shown to be Devadaya, the entry in the Settlement Register of Purigal village shows a 'Kadim Beriz' of 205-6-0 (P F V). What this expression 'Kadim Beriz' actually means and whether it has any reference to the Kadim rights now set up will have to be ascertained.



OFFICIAL SECRETARY 28 JULY 1932

Serial No.

tained. But this is not found with respect to the village of Kaggalipura. 'Land Revenue' is further shown in the Settlement Register as one of the items enjoyed by the Jahagirdar. In the Sub-Division Officer's note dated the 26th Dec. 1930, regarding the nature of the tenancy, he - continued observes that in most cases the tenancy has ~~xxxx~~ for over 80 years. This is supported by some of the Jamabandi Patties which relate to years 1844 and 1846. That would take us to a period prior to 1850. Further, some of the holdings seem to have been also sold for recovery of arrears of Land Revenue, c.f. statement of Mr. P.V. Venkataramanayya. It is difficult to make out from the records when exactly this sort of tenancy began, whether before or after the grant. In the Muzrai Commissioner's letter to the Survey Superintendent dated the 26th March 1931, reference is made to - the claim put forward by the ryots that they were enjoying these lands as Kadim tenants even prior to the grant, and in the Survey Superintendent's reply dated the 2nd December 1931, it is stated that the liability of the ryots was only to pay the Revenue assessment levied on the lands. - Whether they were holding these lands as permanent tenants even prior to the grant is a question of fact and if their contention is true, they cannot be evicted at all from their holdings. If, as stated by the Sub-Division Officer, most of the ryots were holding lands and paid assessment to Government

NOTE: Contn Sheet

Government from before 1850, and if they have been alienating those lands by way of mortgage, sale, etc., as has been rightly stated in the Report, even then, they can only be dealt with under the Notification of 1877, if at all, and cannot be evicted from the lands. The decisions reported in 32, Mysore Chief Court Reports 14, and 4 Mysore Chief Court Reports, 6, do not apply on all fours to the present case. Though they say that for making out Kadim Tenancy, the tenants on whom the burden of proof lies must make out that the lease was before the Grant, it is clear from 32, Mysore Chief Court Reports, page 14, that this is not the sole criterion. This case was decided on the basis that the alienation or the lease was admittedly granted by the temple authorities in the year 1892-93 and that the fact that they were paying cash grant since then was insufficient to confer on the tenant the right of permanent occupancy as the origin of tenancy was recent and well known. So also in the earlier case where the lease was stated to have been granted in 1884-85 by a person who was acting as the Agent of the original owner and who was not proved to be empowered to grant a permanent lease. Those two cases, therefore, do not completely apply to this case. The circumstances which I have stated above seem to make out that the ryots have been holding the lands in their own rights as occupancy tenants from a very long time, and from the materials now available, the claim to evict them is, I think, untenable.

(c.f. Section 10 of Regn. VII of 1927).

Government Advocate.
27-7-1932.

H.

6 . 1932
869

Serial No.

28 Refer: para 25 supra

Fin Secy (Mur)

29 7 32

29

30/7

30 In view of the legal opinion above and the M's opinion expressed in para 3 of his letter Dt 5/8 . 3 . 33 (Pud I) the guest of leasing out the lands in the endowed villages suggested in Financial Secy's letter Dt 31. 5. 30 (flag u) may be dropped

Fin Secy

4/8/32

31)

5/8

1st Member

32) All the officers consulted hold the [illegible] that the occupancy of these lands should be treated as that of Kadim Tenancy and the idea of leasing the lands may therefore be given up. If there is any unoccupied lands, they may be leased up and no Kadim Tenancy rights allowed to arise in respect of them

8/8/32

D/P. Liberd

For perusal before

13/8

Fin Secy

17/8/32

18/8

18/8

TYPING [illegible]
18. AUG. 1932
GEN'L & [illegible] SECTT.

NOTE—Contn. Sheet.

701

WD 70—GBPM—50,000—13-8-31

16

Mz File No. 81 of 1934

No 296 dy 19-8-32 to the Muzrai Commissioner
Stating among others that if there are
any unoccupied lands they maybe 19
leased out and no kadim tenancy
rights allowed to arise in respect
of them.

[illegible]
B
[illegible]

217/32

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 2nd July 193

FROM

S. P. RAJAGOPALACHARI, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

Muzg. 81-31-20.

To

S. Shamanna, Esq., B.A.,

Secretary to Government of His Highness
the Maharaja of Mysore,
Financial *Department.*

GENL. & REV. SECRETARIAT. 35 JUL. 1932 MUZRAI.

SIR,

Flag I in the tinted file.

In continuation of this office letter C. No. 321/31-32 dated 26th May 1932, I have the honor to forward her with a statement showing the progress made in the collection of arrears etc in Purigal and Kagalipur villages during the quarter ending 31st March 1932, received with the Deputy Commissioner's letter No.H.196/A.C. dated 15th June 1932.

The connected file has been sent to the Law Section for opinion in these villages respect of Khadim lemay rights in these villages.
Up recording pull up for orders
GS 8/7

Please put up the file for the previous quarter.
8/7/32

I have the honor to be,
Sir,
Your most obedient servant,
S P Rajagopal
Muzrai Commissioner.

This may kindly be refd. to Law Secn for pursuing the file sent on 30/6.
GS 9/7
Law section with compliments for kindly sending back the file. If the file is still required in the section be returned after taking the necessary papers
11/7

The file has been sent to GA for opinion, I think (DNO 5283/2)
~~Please~~
11/7

Diarist will please verify
11/7

Mur Br 7)
8) Submitted with reference to para
13/7
Put up on receipt
12/7

1.2

[App. F. III—2

General and Revenue Secretariat | Mez File No. of 1932.

Serial No.

Mez 81-31-19.

ii) Mez may be put up after orders have issued in the other file
13/8/32

(ii) The connected file, since received with orders is linked & subd
G.S. 13/8/32

11 Subd as per instructions in para 11
G.S. 23/8

12) Put up a clear note as instructed please
24/8/32

13

Statement showing progress of collections during the 9th ending 31st Decr 1931 is flagged O. & this as compared with the statement received with the P.W.D. will bring to light the following facts:—

Amount recommended for remission & the one intended to be included in the remission statement remain the same in both the qrs viz Rs 11 5 84-5-10 & 182-12-6.

No action appears to have been taken though instructions in this respect were issued in this office letter No 1624 Mez 81-31-17 of 7-5-32 [The M.C. in his letter of 26-5-32 refers to R.C.'s communication having so far remitted Rs 11,045-4-4]

14 List of suits for Rs 2963/6 during the Decr qr is stated to have been sent up, while for the March qr a list of suits for Rs 2828-6-0 is mentioned. No mentioned is made if the difference of Rs 1357— has been recovered by decree.

15) Further the collectn. Dept. in

Note—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

Mcg File No 81 of 1931.

The season seems to be poor
[illegible]
[illegible]
[illegible] May be recorded with
[illegible] the Collection is very poor.
Draft for approval

For [illegible]) 29/8/

[illegible] 31

TYPING SEC
2 SEP. 1932
GENL. & REV SECT.

Go no 396-7 of 8.9.32 11 21

According with certain observations
The report referred to therein

B
157

No. C. 821/31-32
one

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 7th March 1932

Muz. 81-31-15

FROM

S. P. RAJAGOPALACHARI, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

To

Rajasevaparayana
R. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to Government of His Highness
the Maharaja of Mysore,
Financial *Department.*

SIR,

I have the honor to forward herewith a statement showing the progress of collections made in Purigal and Kaglipura villages, Malavalli Taluk, during the quarter ending 31st December 1931 received from the Deputy Commissioner, Mysore District, with his letter No.H.196/AC. dated 24-2-32 The action taken for the recovery ~~of~~ for of the balance of R 17525-1-4 is noted in the statement itself.

I have the honor to be,

Sir,

Your most obedient servant,

For Muzrai Commissioner.
Absent from Hd quarters

25-26
& one ver file

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 9th March 1932.

FROM

S. P. RAJAGOPALACHARI, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

To

Rajasevaparayana
B. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to Government of His Highness
the Maharaja of Mysore,
Financial *Department.*

SIR,

With reference to correspondence ending with this office memo -- dated 31st March 1931 re the question of the right of Kadim tenancy set up by the ryots of Purigal and Kaggalipur villages endowed to the temple at Sivasamudram, I have the honor to forward herewith copy of letter -- No.H.196/A.C. dated 12th March 1931 from the Deputy Commissioner Mysore District, giving cover to report dated 26th December 1930 ---------- submitted by the Sub Division Officer and opining that the holders of lands in these villages have been enjoying the rights and privileges of Kadim tenants as defined in Sec.84 of the Land Revenue Code from a very long time and that it may not be feasible for the Muzrai Department to question their long established right and enter into unnecessary civil litigation.

2. The holders of lands have been in possession for a long term of years paying rents in money equal to land revenue assessment only and exercising unchallenged rights of alienation by sale, mortgage, court decree etc., similar to those exercised by holders of land in unalienate villages. The Survey Superintendent states that the Thaisal Patrike prepared at the time of the original Settlement shows that the tenant's liability consisted in the payment of assessment which amounts to saying that even before the settlement the tenants were paying only assessment and were found to be entitled to be confirmed on payment of survey assessment.

3. I am therefore of opinion that the facts elicited seem to -- satisfy the requirements of Sec.84 of the Land Revenue Code and

with the Deputy Commissioner that it is not expedient to right of the tenants at this distance of time. In view of the question of leasing out the lands in the endowed villages in your letter No.2752/Muz.177-25-24 dated 31st May 1950 has to

4. The entire file of vernacular papers is sent for reference.

I have the honor to be,

Sir,

Your most obedient servant,

For Muzrai Commissioner.
Absent from HQ quarters

Letter No.H.196/A.C. dated 12th March 1931 from the Deputy Commissioner, Mysore District to the Muzrai Commissioner in Mysore.

Subject:- Purigal and Kaggalipura-- Kadim Tenancy right-enquiry.

With reference to your Memo No.638 of 25-6 dated 26-7-1930 requesting me to further examine the question of the right of Kadim tenancy set up by the ryots of Purigal and Kaggalipura, I have the honor to state as follows:-

2. The villages have been endowed as Devadaya Inam to the Temple and other charities at Sivasamudram. There is no doubt that the Inamdar or the Jahagirdar, who was managing the villages up to the year 1929 cannot claim arrears for more than the six years as contemplated in the Mysore limitation Regulation (Article 119 A). But inspite of this limitation question, if the tenants pay the amount, it can be taken, only coercive steps will not be legal. The Amildar Malavally has also been instructed to collect as much of such arrears as possible, and so far the questi n o of limitation has not been set up by any of the holders of lands in these villages.

3. As regards the question of Kadim tenancy set up by the tenants of these villages, I submit herewith the report received f om the Sub -- Divis on Officer, Mandya, together with the records of enquiry made by him. The villages are Devadaya Inams granted to the temple and other - charities, and they have also been settled. The tenants of these ~~xxxx~~ villages have been enjoying the lands from a very long time paying to the Inamdar or the Jahagirdar who was managing the villages a fixed rent in cash which is equal to the Survey assessment on the lands. Besides the lands have changed many hands by means of ~~xx~~ sale, mortgage, transfer and Civil Court Decrees etc., and the holders of lands in these villages have been enjoying the rights and privileges of Kadim tenants as defined under Section 84 of the L.R.C. from a very long time. It may not be feasible now for the Muzrai Department to question their long established right and enter into unnecessary civil litigations.

4. Under the above circumstances I consider that the question of -- leasing out the land in the endwed Inam villages does not arise.

"C o p y"

For Muzrai Commissioner.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

FINANCIAL SECRETARIAT

Dated Bangalore,

No. 1624/Reg 81-31-17

From

The *Financial Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,

Bangalore,

Sir,

With reference to your letter No.C.821/31-32 dated 8th March 1932 forwarding a statement showing progress of collections made in Purigal and Kagtipur villages of Malvalli Taluk endowed to the temple at Sivasamudram during the quarter ending 31st December 1931 and the action taken for the recovery of the balance of Rs.17,525-1-4 I am directed to observe that the arrears from 1904-05 to 1923-24 have practically become irrecoverable and the longer the collection of arrears from 1923-24 to 1930-31 is delayed, the greater will be the amount that will become irrecoverable and to request in these circumstances that you may kindly arrange for prompt steps being taken for the recovery of all these arrears. If remission lists for Rs.11,584-5-10 which are stated to have been sent, have not been sanctioned by officers competent to do so yet they should be attended to promptly cases to be submitted to Government for orders being sent up immediately. As regards other items of arrears the details furnished are very meagre to judge what the exact situation is. I am -- to request that you may be good enough to obtain and submit full details in the matter and see that remission cases -- are

p.t.o.

are attended to promptly.

I have the honour to be,

Sir,

Your most obedient servant,

For Financial Secretary to Government.

GS

mk. 2

Diary No. of letter replied to .....

21264

General and Revenue Secretariat

( )

the *193* .

Date of issue .....7 . 5 1932

Signed by [illegible]

May this be—

(i) printed ?

(ii) *treated as a standing order ?*

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Section Mec 3

File No. 81-31

Serial No. 17

No. 1624/[illegible]

~~*Proceedings of the Government of His Highness the Maharaja of Mysore.*~~

To M.C.

~~Read~~ Sir, With refer to your letter No. C 821/31-32 of 8/3/32 ~~from the M.C.~~ forwarding a statement showing progress of collections made in Pringal and Kagli from villages of Mal Valli the ~~[illegible]~~ endowed to the temple at Sivanand

~~Order thereon.—No.~~ During the 9th endowed the 31/12/31 and ~~stating~~ ~~that~~ action taken for the recovery of the balance of Rs 17525-1-4 ~~is noted in the statement~~

~~order to~~

~~The balance of Rs~~

as [illegible] [illegible]:

Rem^ts to Sent — Rs 1 84-5-10

do do to be sent Rs 182-12-6

Lists Sent following Rs 2963-6-0

Sales for an [illegible] Rs 565-12-9

Action being taken Rs 2199-10-7

? al 1 495-15-8

Add Arrears 31-32 Rs 29-1-8

5 25-1-4

it is that ?

Against the years for

the amts related —

Arrears for 1904-05 to 23-24 — Rs 8982-3-4

— 23-24 0-31 — " 513-12-4

For 3 -32 — " 29-1-8.

I am directed to ~~point out~~ obscure ~~this~~, the Arrears from 04 - to

1923-24 have to

become irrecoverable - &

longer the Collection of arrears

from 1923-24 to 30-31 is delayed,

the greater will be the

amt that will become

irrecoverable and to request in [illegible]

circumstances ~~[illegible]~~

List of Enclosure

Copied by

Examined by

WD 73—GRPM—20 000—10-8-31.

G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

27 You may kind of arrange for that prompt steps ~~should be~~ be taken for the recovery of all these arrears. If Remission lists for Rs 11 584-5-10 which are stated to have been sent, ~~If~~ ~~They~~ have not been sanctioned by officers competent to do so, they should be ~~dealt with~~ attended to ~~immediately~~ promptly, cases to be subd to Govt for orders being sent up ~~dealt with~~ immediately ~~further Govt observe~~ ~~that the~~

As regards other items of arrears the details furnished are very meagre to judge what the exact situation is ~~in respect of — we~~ ~~the remaining items.~~ I am to request that you may ~~the M-C is requested~~ be good enough ~~to obtain~~ and submit full details in the matter to see that remission cases are attended to promptly.

Yours etc

30/4/32

For Sec to Govt

Fy Dept

To ~~the M-C~~ ~~the Comptr~~ ~~the R.C~~

4 d 27/4

WD 2230 -GPB—1,00 000—23 7 20

8]

No. C 821/31-32
One

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE.

Dated, Bangalore, 26th ... 193

1412
28. MAY 1932
MUZRAI

Muz: 81-31-18

S. HIRIANNAIYA, Esq., M.A., B.L.,
Muzrai Commissioner in Mysore.

To

.... , , ,
Secretary to the Government of His Highness
the Maharaja of Mysore.

.... *Department.*

SIR,

[illegible]

1932 [illegible]

[illegible]

Your most obedient servant,

[signature]
For ... absent from Head quarters

Official Memorandum No.D(i) Dis.1613/31-32 dated [illegible] April 1[illegible] from the Revenue Commissioner in Mysore, to the Deputy Commissioner, District.

29

Subject:-

Correspondence ending with letter No. [illegible].196/[illegible].C. dated 10th December 1931, from the Deputy Commissioner, Mysore District, recommending the remission of certain arrears of revenue [illegible] of [illegible] Kaggalipur, Malavalli Taluk.

[illegible]. The above [illegible] villages [illegible] under Government [illegible] year 1928-29 [illegible] collect [illegible] sum of Rs.35,838-5-0 [illegible] to the end of the year 1930-31. [illegible] Rs.15,925-10-11 has been collected [illegible] Rs.1[illegible],[illegible]-10-1[illegible] at the end of June 1931. The Deputy Commissioner reports that out of said balance, a sum of Rs.[illegible],2[illegible]1-5-11 [illegible] accrued during the years 1914-15 to 1922-23 (i.e., for [illegible] six years prior to the assumption of management of the villages by Government) and is therefore time-barred, and cannot be recovered.

5. It is further stated that, prior to the assumption of management of the said villages by Government, on the application of the Jahagirdar of Sivanasamudram, a sum of Rs.2,257-7-11 due on the marginally noted ----

86, 89, 108, 110, 125, 140, 141, 161, 170, 171 188, 215, [illegible]4, 281, 284 285, 537, 409, 426, 432 and 439.	Khate numbers of Kurigal village from 1921-22 to 26-27 was recovered and

subsequently [illegible] to the Jahagirdar. But for [illegible] of instructions, the village officers failed to incorporate the said collection in village accounts, with the consequence that the amount is continuing on the demand side.

4. A further sum of Rs.496-8-6 due on [illegible] No.[illegible]5 of the village is also said to be irrecoverable as the land has been lying [illegible] from the year 1923-24 owing to the damages caused by the [illegible] floods of [illegible] 5-[illegible]4. The Deputy Commissioner recommends that all the above amounts be --- written off the accounts as they are irrecoverable.

In the circumstances, the Deputy Commissioner's recommendation is sanctioned. The amounts remitted [illegible] Rs.11,015-[illegible]-4. Early action should be taken to collect the [illegible], [illegible] any further sums get [illegible] time-barred.

C o

[illegible]

[illegible]

30

18th August 32.

No. 296/ಮುಜ: 81-31-19.

The Muzrai Commissioner in Mysore,

Bangalore.

With reference to correspondence ending with your letter No.C.638/25-26 dated 8th March 1932, submitting a report regarding the right of kadim tenancy set up by the ryots of Purigal and Kaggalipur Villages endowed to Sri Ranganathaswami Temple at Sivasamudram, I am directed to state that as you opine that the -- occupancy of the lands in question has to be treated as that of kadim tenancy the idea of leasing them out may be given up and to request that if there are any unoccupied lands they may be leased out and no kadim tenancy rights allowed to arise in respect of them.

The records received with your letter under advertence are herewith returned.

I have the honour to be,
Sir,
Your most obedient servant,

For Financial Secretary to Government.

K.M.R.2.
18-8.

F G—1]

31

SUBJECT .....

.....

.....

Section Mnz —

File No. 81-31

Serial No. 19

Diary No. of letter replied to .....

No. 296.

To

The M.C.

General and Revenue Secretariat

( )

the *193*

Date of issue .....

Signed by .....

List of enclosures .....

Copied by .....

Examined by .....

Sir,

With reply to correspondence ending with your letter No. C 638/25-26 of 8-3-32 submitting a report re the right of Kadim tenancy set up by the mgts of Purique & Naggali pur villages ~~[illegible]~~ ~~[illegible]~~ to Sri Ranganatha Swami temple ~~[illegible]~~ ~~[illegible]~~ at Sivasamudram, I am directed to state that if there are any unoccupied lands they may be leased out and no Kadim tenancy rights allowed to arise in respect of them. The records

~~under the circumstances explained by you~~ as you of course not the occupancy of the lands in question ~~[illegible]~~ has to be treated as that of Kadim tenancy, the idea of leasing them out may be given up and to ~~I am~~ ~~to add~~ that request

WD 71—GBPM—40,000—20-7-31

received with your letter under
advertence are hereto ~~[illegible]~~
returned —

Thanks etc

17/8/32

[illegible]

[illegible]

GS 13/8

18/8

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read:--

Letter No.P.C.638/25-26 dated 5th July 1932, from the Muzrai Commissioner, forwarding a statement showing progress made in the collection of arrears etc., in Punigal and Kagalipur Villages during the quarter ending 31st March 1932.

ORDER NO. 396-7/Muzr. 81-31-21

Dated, Bangalore, the 2nd September 1932.

Recorded. The collection is very poor. The Muzrai Commissioner should issue necessary instructions for the prompt collection of arrears

For Finamcial Secretary to Government.

To

The Muzrai Commissioner in Mysore.

" Comptroller to Government.

K.V.R.3.
2-9.

SUBJECT

3 Copies

Diary No. of letter replied to .....

Section Mun

File No. 81-31.

Serial No. 21.

General and Revenue Secretariat

( )

the *193* .

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 8-9-1932

Signed by Mr. B. Muddukrishnabha

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Read—

Letter no P.C. 638/25-26 of 5-4-32 from the M.C forwarding a stat showing progress made in the Collection of arrears etc in Pringal & Kaggalipur Villages during the G.N ending 31st March 32

~~Order thereon.—No~~

Order No 301-79 & 30

Recorded. ~~[illegible]~~ The Collect is very poor. The M.C ~~is requested to issue~~ should necessary instructions for the prompt Collection of arrears. ~~[illegible]~~ ~~promptly~~

31/8

~~To~~ See [illegible] 29/8/32 [illegible]

To the M.C. The Comptr

[illegible] 2/9/32

List of Enclosure

Copied by

Examined by

WD 73—GBPM—20,000—10-8-31.

Regular Sheet No: 198.

CLASS, EXTENT

Number of case or entire holding under one grant in this village	General class which the Inam belongs	Survey No. and name of field or fields comprised in the grant Dry, wet or garden	Extent	
			Local measure. Even where the local measure is in acres, guntas, and annas, it is to be entered in this column	Measure in acre and their fractio in decimals
1	2	3	4	5

Poonigala in the Taluk of Malavalli

		DESCRIPTION, TENURE AND	
Old assessment	Survey assessment	Description of Inam If for service, it is to be stated whether the service is continued. If for tanks, buildings, etc, whether they are efficiently kept up Hereditary or for life	Whether free of tax, etc., or liable to quit-rent, i. e. jodi, etc, amount of latter to be entered
Where no survey has been made and no assessment fixed by Government, the cess paid by the raiyats to the Inamdar, or the average assessment of similar Government land, should be entered in column 7			
6	7	8	9
Benzas per Hiizpor account of Sarvamanya Villages for 1831. P. 7 V. 198-2-0 = 576-9-3 Rs as Ps. Deduct Benzon Tan Inams. - - - - - - 0-4-0 = 1-2-7. Balance 197-8-0. = 575-6-8			

DOCUMENT IN SUPPO

By whom granted and in what year	Written instruments in support of the claim, original sannad, all miscellaneous documents, and other proofs of long possession. In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, etc., and the general specification of terms of all documents produced should be given.
10	11

Vide asali case for Sannad's purport.

NAME AND RELATIONSHIP OF ORIGINAL GRANTEE AND

Name of original grantee	Name entered in the register prepared by Poorniah up to 1810	Name entered in the accounts subsequent to 1810
12	13	14
	Taluk Pymaish Nil	H Sarva Inam account of 1831 Seshachalam Modaliar Kuggahalli asal 1 Dakhal 3 P F V Berry 198-2-0 Particulars Iyen berry 189-1-0 Jasi 9-1-0 198-2-0 Deduct Jan Inams 0-4-0 Balance 197-8-0 —Lag - 0/- 1 - 32

OF SUBSEQUENT AND PRESENT HOLDERS

Particulars regarding present owner If the inam has been subdivided, the name, etc of each sharer should be entered in the columns			
Residence, name and age, etc.	Relation to original grantee or subsequent registered holders	Surviving heirs of the present incumbent	If unconnected with the original holders, possession how obtained, and in what year
15	16	17	18
Sivanasamudra Ranganatha Swamy and – Agrahar etc Manager's problem			

LENGTH OF POSSESSION

Abstract of the orders already issued by the Commissioner or the Superintendent of the Division on lapses regarding validity or excess of the Inam. Assistant's opinion and recommendation	Review by the Special Assistant and confirmation by the Inam Commissioner
19	20

1. Dakhali B in Asali A No 1 of Sarva Inam poorig ali Village in Register Sheet No 184.
2. To be confirmed free Rule
3. Vide Asali case for other remarks

(Sd) Syed Nassiruddin
Assistant

31-3 79

Note.—

A. Independent Inams. 1 of Toti.

B. Items enjoyed.

1. Land Revenue
2. Mohatarfa
3. Amarayi
4. Sharab and Sendi
5. Sayer

C. Statistics.

1 Asali Villages 1.

2 Dakhali Honnagahalli Dodde for the other two mentioned in the account, names nil and not in existence 3

Continued

5 Katte 5

6 pot wells 2

7 Devastans 6

8 Houses 150

7 population 614

[illegible]	Boys	[illegible]	[illegible]
218	126	213	117

10. Cattle [illegible]

Boundaries [illegible] the Survey Department

[illegible]

GPB—1 000 books of 2 sheets each—9 8 06

eview by the special assistant and confirmation
Commissioner.

20.

1. Confirmed free. Vide asali case for orders on all other p

(Sd) R. A. Cole.

3-6-80 Superintendent of S. S.

2. Revised as per the Govt. pro: No: 14223-5/P F 100-93 Dated 17th February 1894.

3. Vide the detailed Survey Statement Received with the Survey sup Docket No: 436. Dated 12-8-95.

	A. G.	Rs. as. ps
Total area and assessment.	1,202-18.	608-5-0.
Deduct for a minor Inam —	33-9.	17-8-0.
Balance	1,169-9.	590-13-0.

particulars.

uncultivable	199-1.	3-0-0.	
Dry cultivated.	947-3.	562-12-0.	
cultivable (waste)	12-22.	1-9-0	1/4 ass.
Garden cultivated.	10-23.	23-8-0.	
Total	1,169-9.	590-13-0.	

4. Finally confirmed free of tax.

(Sd) J. P. Grant.

19-1-97. Superintendent of S. S.

Compared HSR 24.9.31

"Copy"

For Superintendent

Register sheet No 184

CLASS, EXTENT AND

Number of case or entire holding under one grant in this village	General class to which the land belongs	Survey No. and name of field or fields comprised in the grant. Dry, wet or garden	Extent	
			Local measure. Even where the local measure is in acres, guntas, and annas, it is to be entered in this column	Measure in acres and their fractions in decimals
1	2	3	4	5

Sammat of Purigal in the Taluk of Malavalli.

		DESCRIPTION, TENURE AND	
Old assessment	Survey assessment	Description of Inam	
Where no survey has been made and no assessment fixed by Government, the cess paid by the raiyats to the Inamdar, or the average assessment of similar Government land, should be entered in column 7		If for service, it is to be stated whether the service is continued. If for tanks, buildings, etc., whether they are efficiently kept up Hereditary or for life	Whether free of tax etc., or liable to quit-rent, i.e. jodi, etc., amount of latter to be entered
6	7	8	9
Being as per Huzoor account of Sarvamanya villages for 1831. P. 7.V. 1,331-1-9. Rs as m 3,872-7-3 Deduct Being on Jan Inams 4-7-0. 13-10-9 Balance. 1,326-4-9. 3,858-12-5 Add as per the late Maharajas Sannad dated in 1831. 41-3-2. 121-1-0. ※ Total. 1,367-7-11. = 3,979-13-5. ※ Vide the correspondence ending with Mysore District Deputy Commissioners Yadi No 555/247 dated 25th October 1894. Sd/- F P Grant 22-3-95 Superintendent			Free

By whom granted and in what year	Written instruments in support of the claim, original sannad, all miscellaneous documents, and other proofs of long possession. In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, etc., and the general specification of terms of all documents produced should be given
10	11

1 Sannad from his Late Highness the Maharajah of Mysore Dated 24th December 1829 to the address of Seshachala Modaliar intimating him the grant of the undermentioned 2 Villages in lieu of Belakavadi etc., which have been transferred to Ramaswamy Modaliar as per order of the British Government for constructing a bridge at Sivasamudra, & authorising him to enjoy the same on Sarvamanya tenure with powers of alienation for the up-keep of agrahar and other charitable works founded by his grand father Ramaswamy Modaliar.

The Sannad further authorises ~~him~~ the Inamdar to enjoy Sandal trees maddi, patanga sege pomma, pappali, Gidakaval, Maravali, vakkalu Jathikuta, Samayachar, Hulluhana, Charadaya magga, [illegible], madvekutavaly, margakargapady, ale-Sunka, pommahatti, Kempu noolu, Coppina mole Ichalupyru, Tobaccopomma etc.

Village.	Assessment excluding Jau Inams. P. F. V.
1. poorigaly with 3 Dakhalies	1,326-4-9.
2. Kaggalipura with 3 — do —	197-8 0.
	1,524-2-9

of Mysore

NAME AND RELATIONSHIP OF ORIGINAL GRANTEE AND

Name of original grantee	Name entered in the register prepared by Poorniah up to 1810	Name entered in the accounts subsequent to 1810
12	13	14
	Taluk Pymaish Mul.	Huzoor Sarva Inam
		village account of 1801.
		Seshachalam Modaliar
		Asali 1.
		Dakhali 3.
		P F V
		Beriz for village. 1 304-1-14.
		Vengada manya 26 9-11
		x 1,326-4-9.
		x. This is an error
		Tari Inam 4-7-0.
		P F V
		Kadeem Beriz. 602-5-6.
		Fasthi Beriz 723-9-3.
		1,326 4-9
Huzoor Sarva Inam Kyfeit of 1830		
	Seshachala Modaliar	P F V
	poorigali village beriz	1 331-1-9
	Particulars	
	Iyen Beriz	1 304 1-14.
	engadamanya and bajel ab	26 9-11
		1,331 1-9.
	Deduct Tari Inam	4-7-0
	Balance Beriz	1 326-4-9

of

OF SUBSEQUENT AND PRESENT HOLDERS

Particulars regarding present owner. If the inam has been subdivided, the name, etc., sharer should be entered in the columns

Residence, name and age, etc.	Relation to original grantee or subsequent registered holders	Surviving heirs of the present incumbent	If unconnected with the original holders, possession how obtained, and in what year
15	16	17	18
Sivasamudram.			
Ranganatha Swamy -			
and			
[illegible] etc.			
Manager pro tem			

Abstract of the orders already issued by the Commissioner or the Superintendent of the Division on lapses regarding validity or excess of the Inam Assistant's opinion and recommendation	Review by the Special Assistant and confirmation by the Inam Commissioner
19	20
A. asali case A complete Valid grant From the Sannad quoted in column 11 it will be seen that the grant partakes more of the character of Devadaya charitable Inam than personal; but the Sannad has so carelessly been drawn up which I shall immediately point out that it can be construed to meet both objects to suit time and circumstances The grant cannot and should not be both service and personal at one and the same time as it appears to be the case in the present instance. If it was a service grant the power of alienation conceded to the grantee by the Maharajah, should now be withdrawn and be declared that so long as these Devadaya and charitable institutions are in good order and the special services from time to time are therein rendered efficiently [illegible] to the grantees family in hereditary succession, the power of alienation given in the Sannad [illegible] admitted, it is to be understood that [illegible] can alienate the property [illegible] conditions of the grant The Agrahar is in existence but it is not [illegible] to the unhealthiness of the locality. [illegible]	

are located at Belakavadi and go to Sive
whenever their services are required. This may be
but the Jageerdar should keep the Agrahar in good-order
He has been written to on the subject.
The grantee is allowed to enjoy Sandal and date trees
together with other items, but no mention of Abkary item
is made therein, hence it is to be reserved. The grantee
should not leavy petty taxes, which have since been abolished
in all Government villages.
A valuation survey is wanted
This grant is subject to all local cesses which may be
imposed from time to time by order of the Local Government.
There is an application in this office from the Jageedar bearing this
office ~~No~~ Register No. 181 of 1879 stating that until 1857 the irrigation
work of this Jageer was repaired by Government; that ever
since the work having been neglected or rather not repaired
he has sustained a heavy loss; that the present revenue of
the grant is hardly sufficient to meet the charitable expense
for which it was granted consequently he lays out more
money from his pocket for the purpose, and that therefore
requests that as before the irrigation work may be repaired
at the Government expenses.

8. The agent of the Jageerdar was ordered to produce all the
correspondence connected with the irrigation work in order to
note on the Register how the question was decided by the
authorities, and he failed to do so, and the Jageerdar was

Continuation of column 19

cordingly informed that as all the papers were not produced by is agent as desired by me the point about the repair of the gation work in the Jayeer could not be noted on the Register.

	Name of the Village	Description of land	extent	Being			whether Jain or yafti	Jodi	Proportionate quit rent	Case No	Register Sheet No	Remarks
1	A puregali S M	-	-	3,858	12	5	Jain	-	-	1	184	
2	B Kaggalipura S M	-	-	575	6	8	-D-	-	-	1	198	
	Total			4,434	3	1						

A and B are to be confirmed free Rule V 1 J D

(Sd) Syed Nassuruddin

Assistant

Camp Mysore
29th September 1874

Note -

A independent Inams 3 Viz

1 Devadaya 1

2 personal 1

3 Toti 1

B Items enjoyed

1 Land revenue

2 Motarfa

3 Date Trees

4 Amaraya

5 Jungle.

6 Sayer

the special assistant and confirmation by the Commissioner.

20.

I have examined the sannad, in which the full powers of alienation are clearly conveyed. We cannot now rescind those powers, but their exercise will of course be contingent on the due maintenance of the temple and chatram, for which the grant had been made confirmed free, but subject to all Local fund and irrigation cesses.

The items of Sandal, Sayer and Toddy are conceded as per the Sannad.

The item of Arrack is reserved.

All forest rights are also conceded in the Sannad

Copies of paras 7 and 8 of the Assistants remarks, relating to the repairs of the irrigation works by the Government, will be forwarded to the Deputy Commissioner for consideration and disposal.

A Valuation Survey is desired.

(Sd) R A Cole

3rd June 1880. Superintendent of Inam settlements

The sannad to be returned in a registered cover

(Sd) R A Cole

3-6-80. Superintendent of I.S.

Continuation of column 20

9. Revised as per the Government pro: No: 14223-5/P. F. 100-
17 th February 1894.

10. Vide also the detailed survey statement received with the Sur
Superintendent's Docket No: 436. Dated 12-8-95.

Total area and assessment for 2 villages.

	A G	Rs: as: ps.	A. G.	Rs: as: ps.
1. Purigal. S M.	2,864-21.	= 9,449-5-0	2,920-22.	9763-1-0.
2. Chikka Abbaglu Hanta. S.M	56.1.	= 313-12-0		
	2,920-22.	= 9,763-1-0.		

Deduct for 4 minor Inams	15.15.	37-8-0.
Balance	2,905.7.	9,725-9-0.

Particulars.

Unculturable	609.23.	9-12-0.
Dry cultivated	625.0	451-4-0.
Wet cultivated.	1,599-3.	8,897-4-0.
Garden cultivated	71.19.	367-4-0.
Do. — cultivable waste.	0-2	0-1-0. ¼ a
Total.	2,905.7.	9,725-9-0

11 Finally confirmed free of tax.

19 1-97

(Sd) J P. Grant.
Superintendent of S.S

"Copy"

Compared. 24.9.31

For Superintendent of
Mysore Revenue Survey